DOCUMENT RESUME

ED 324 288 SP 032 622

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TITLE A Close Up Look: Third Party Evaluation of Program Components.
PUB DATE Apr 90
NOTE 44p.; Paper presented at the Annual Meeting of the American Educational Research Association (Boston, MA, April 17-20, 1990).
PUB TYPE Speeches/Conference Papers (150) -- Reports - Descriptive (141)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS Career Development; *Career Ladders; Elementary School Teachers; Elementary Secondary Education; *Evaluation Criteria; *Evaluation Methods; Measures (Individuals); *Performance Factors; Politics of Education; Principals; *Program Evaluation; Promotion (Occupational); Secondary School Teachers; *Teacher Evaluation
IDENTIFIERS *North Carolina

ABSTRACT

An overview is presented of a third-party evaluation of the North Carolina Career Development Plan, at the end of the third year of a four-year pilot program. Under scrutiny were the Teacher Performance Appraisal Instrument (TPAI) and the Principal Performance Appraisal Instrument (PPAI), as well as the appeals process for those delayed for advancement on the career ladder. The panel concluded that the instruments are adequate for the purposes of certification and quality assurance. In relation to the purposes of career development and professional growth and development, the instruments seemed to be functioning reasonably well, considering that the pilot program was only 3 years old. Areas where they should be strengthened and expanded were noted. While the appeals process appeared to work quite well at the initial peer panel stage, several cases that reached the later appeal boards had not gone well. It was recommended that board members be well trained in the Performance Appraisal System and that the board review be focused on the same data and guidelines as the earlier peer review. The report also highlights some personal and political factors that were encountered in the conduct of the investigations and in the uses made of the findings. (JD)

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A Close Up Look: Third Party Evaluation of Program Components

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Presentation at AERA Convention, Boston, 4/90

This paper overviews the procedures and findings of a third-party evaluation of two components of the North Carolina Career Development Plan (CDP): (1) the performance appraisal system (PAS) for teachers, principals, and others[1] and (2) the appeals process for those whose summative ratings prevent them from staying or advancing on the career ladder.[2] These studies were conducted near the end of the third year of a four-year pilot program, one year before the legislature would be expected to decide whether to make the CDP more permanent and expand it to other districts, or to modify or even eliminate it.

In keeping with the overall purpose of the AERA symposium, this paper also highlights some personal and political factors that we encountered in the conduct of these investigations and in the uses made of our findings. Our awareness of the political context in which such studies are undertaken helped us decide both what should be covered in our reports and how it might best be presented.

PAS Review Panel

In the performance appraisal system study, a panel of four teacher evaluation specialists met in Raleigh May 8-12, 1988, to review the North Carolina Teacher Performance Appraisal

SP032622

Instrument (TPAI) and the Principal Performance Appraisal Instrument (PPAI). Members of the panel were myself as chairman, Daniel Duke, Russell French, and Edward Iwanicki. All of us had extensive background experiences with teacher evaluation systems and an appreciation of the issues and practices to be considered. None of us had worked directly with this particular system.

The charge by the Education Subcommittee of the Joint Legislative Commission on Government Operations included:[3]

- evaluating the TPAI and PPAI
- giving an opinion on the fairness and objectivity of these instruments
- giving an opinion whether the currently adopted requirements established for and the distinction between career levels for teachers and principals were appropriate

Before and during these five days, panel members studied several dozen documents about the TPAI and PPAI including legislation, manuals describing the instruments and procedures for their use, training materials, studies that showed the distribution of summative ratings across career development pilot districts, surveys of teacher and principal reactions, memoranda and directives from the Department of Public Instruction, local district forms and reports, and notes made by me while conferring with superintendents, CDP coordinators, outside evaluators (OEs), principals, and teachers during visits in April, 1988, to several CDP pilot districts. Between May 9 and May 12, the panel met with the subcommittee on two occasions, the first to clarify the charge and the second to provide an overview of findings. The

panel also met twice with the Department of Public Instruction (DPI) staff for approximately two hours each to ask questions about the instruments and the many documents we were studying.

Developed in the early 1980s with the assistance of Gary Stuck, Kinnard White, Marvin Wyne, and Richard Coop among others,[4] the TPAI is a rating system for judging how well eight major teaching functions covering 38 generic teaching practices are conducted, and identifying strengths and areas that need improvement. Five of the functions are to be observed while teaching is going on; the other three cover planning; interacting with parents, coworkers and others in the educational environment; and carrying out various non-instructional duties. For gathering performance data for the five teaching functions, evaluators are trained to (1) write objective running records (i.e., script tapes) of classroom observations; (2) reread the running script after leaving the classroom, and record sequentially and code on a separate form (FODI) specific teaching behaviors and events according to the teaching practices they illustrate; (3) fill out a Formative Data Analysis Form (FODA) and statements about how well the raw data indicate each of the functions was conducted; and (4) rate each function and write summary statements about how they were conducted on the rating form. The six steps on the rating scale are labeled as follows:

Superior
Well above standard
Above standard
At standard
Below standard
Unsatisfactory

The TPAI is being used currently for the following purposes:[5]

1. Certification - To insure that new teachers have the skills necessary to continue in the teaching profession. By the end of their first two years in the profession, beginning teachers must demonstrate at least "at standard" performance with respect to the first five functions of the TPAI in order to be granted a renewable continuing certificate.

2. Quality Assurance - To assure the public that only competent professionals are allowed to remain in the teaching profession. The TPAI is used to evaluate all teachers. Tenured teachers are required to demonstrate at least "at standard" performance on all eight functions of the TPAI.

3. Career Development - The North Carolina Career Development Plan has been designed "to attract and retain the best people in teaching. . . ." The TPAI is the "cornerstone" of this performance-based plan. Teachers in the pilot districts must demonstrate at least "above standard" performance on all functions of the TPAI before they can advance to a higher career status level.

4. Professional Growth and Development - To identify aspects of teaching performance which need to be strengthened or enhanced, and to monitor teacher development in this regard. For many teachers, especially beginning teachers and experienced teachers encountering difficulty, the TPAI provides rich information for use in designing a Professional Development Plan (PDP) to foster growth with respect to particular teaching practices.

A major conclusion of the panel was that the TPAI is adequate for the purposes of certification and quality assurance. We found the first five functions keyed to the research on effective instruction. Although the last three functions are less directly related to instruction, they include additional practices essential to teaching competency within a particular school context.

In relation to the final two purposes, career development and professional growth and development, we reported that the TPAI seemed to be functioning reasonably well considering the CDP (i.e., the pilot program) was only three years old. We also noted that it should be strengthened and expanded in some areas if these purposes were to be fully achieved. The remainder of our report consisted of two dozen recommendations and rationale for improving it.

Review of the Appeals Process

An appeals process was prescribed by the North Carolina General Assembly for candidates who were (a) not recommended for higher status or (b) were recommended for reclassification to a lower status. It allows such individuals to request a review of the recommendation by a panel of three trained evaluators and, if not satisfied with the review, to request a hearing before the local school board. The state board of education adopted a procedure in May, 1987, that limited the review conducted by the appeals panel to determining (a) whether proper procedures were followed in the evaluation of a teacher and (b) whether the recommendation to deny career status was arbitrary or capricious.

I was asked by the Education Subcommittee of the Joint Legislative Commission on Government operations to:[6]

- evaluate the process by which a person aggrieved by the teacher or principal performance appraisals may appeal
- determine the fairness of the process for all parties involved
- determine the extent to which the local boards, in reviewing the performance appraisals, base their

decisions on information obtained through the Teacher Performance Appraisal Instrument (TPAI) and the Principal Performance Appraisal Instrument (PPAI)

- o determine whether board members have sufficient training to review fairly and completely the performance appraisals

The study was conducted in June, 1988, by visiting and interviewing people in several pilot districts. In all, 58 persons were interviewed, mostly in person, a few by phone. They were distributed as follows according to their roles in the profession and/or the appeals process:

3 school superintendents
4 associate or assistant superintendents
6 school board members (including the executive director of NCSBA)
6 lawyers (including school attorneys, NCAE attorneys and an assistant attorney general)
2 coordinators of career development pilot programs
6 observer evaluators
8 teacher appellants
5 principals
15 panel members
3 others (DPI personnel director, school law experts)

Approximately half of the interviews were conducted in small groups, the remainder with individuals. The interviews with eight teachers who appealed were all conducted individually. Upon my request, they were selected so as to provide a balance between those who were successful and those who were unsuccessful with their appeals. They were also divided between those who experienced only the panel review and those who also had a school board hearing. Principals and panel members interviewed were not necessarily those involved with the particular teacher appellants interviewed. I was interested in soliciting a range of opinion

from various segments of the educational community rather than in investigating particular cases.

In addition to the interviews, I studied a number of documents and relevant school laws including the following:

- DPI appeals training materials: video-tape for training panelists, Appeals Procedures adopted by the NC Board of Education, and other relevant materials distributed in May, 1988
- Local district appeals process descriptive materials
- Sample reports of appeals panels
- Relevant statutes and case notes:
  - 115C-45 Judicial functions of the board
  - 115C-302 Salary and vacation
  - 115C-305 Appeals to board of education and to superior court
  - 115C-325 System of employment for public school teachers
  - 115C-326 Performance standards and criteria for professional employees
  - 115C-363 Career Development Pilot Program

A total of 65 appeals were made to the panels in 1987, approximately 1 percent of all evaluation cases. Of those who in years of teaching in their school district were eligible for career status II (CSII), the 65 appeals represent an estimated 7 percent of those who did not achieve it. More than two-thirds of the appeals were from three of the larger districts, 22, 12, and 12 cases respectively. One county with 7 appeals was the only other district with more than 3 cases. Five districts had no appeals.[7]

Approximately four times as many appeals resulted in the original decision being upheld by the panel as those that were overturned (51 to 13). Almost half of those upheld were then

appealed to the board. Of the 24 appealed to the board, 12 were overturned.

The statute establishing the pilot program, GS115C-363, prescribed the composition of a three-member panel of trained evaluators so that both parties had equal influence in the selection process. Hearings were to be structured so both parties had equal opportunity to present their cases. Panelists reviewed the performance appraisal information used to make the summative ratings and determine if it was reasonably consistent with those ratings and gathered according to the prescribed procedures. This review provided a second opinion by a panel of professionals of the same judgment-call based on the same data as were used in the original evaluation. Supposedly the panel as a whole was neutral because both parties were equally involved in the choice of panel members.[8]

There was some numerical imbalance due to multiple evaluators. This imbalance did not appear to impair the fundamental fairness because both sides were guaranteed equal time for presentation. However, it did create a feeling of isolation and intimidation for some evaluatees.[9]

Whereas the process appeared to work quite well at the initial peer panel stage and the number of cases being appealed to school boards had not been great so far, several of those that did reach the boards had not gone well. I indicated that potential problems loomed ahead which, if not resolved,

threatened to undermine the performance appraisal system and career development program.[10]

The root of the difficulty was the lack of clear guidelines for school board action and training of those who participated in the hearings. At that time the primary specification for these hearings was that each party was entitled to counsel. No limits were set on what evidence could be considered, no specifications of the criteria on which judgments were to be made, and little direction provided on the scope of the hearing. Although the absolute numbers were not great, half of the panel review decisions had been overturned. Reasons for some of these decisions had little to do with the data provided by the carefully developed appraisal system. Too often, other considerations, such as the perceived political influence of the parties involved, were the primary factors.[11]

The major recommendations of this study, therefore, were that (a) board members who are involved in the appeals hearing process be well trained in the PAS and the appeals process and (b) the board review be focused on the same data and guidelines as the earlier peer panel review.[12]

To allow the board complete discretion to establish its own guidelines and procedures is to undermine an important, carefully developed system of performance appraisal. Boards of education represent the public interest and, as such, they ordinarily should have great latitude. In this case, however, they should either let the professionals make the judgment; or, better yet,

take the time and effort to be trained in the appeals process, including the TPAI, and double check the quality of the summative judgments.[13]

The system was in place. The number of complaints was modest so far. Teachers needed a fair grievance procedure against potential arbitrariness. This system was structurally sound, I suggested, and with the recommended improvements should provide that safeguard.[14]

The Political Context

These studies appeared to be reasonable requests for essential information to assess and strengthen an important, legislatively designed program to improve education in North Carolina. The subcommittee that initiated the evaluation had been the primary group responsible for this program from its beginning. Subcommittee members had drafted the original legislation, monitored the pilot implementation closely, and initiated legislation to make necessary modifications from year to year to enhance the pilot program. These four individuals were key members of the general assembly. They included the chairmen of both the house and senate finance committees.

As a subcommittee responsible for an important and potentially expensive program, if it went statewide,[15] they wanted solid information on which to base their case a year later for advising their colleagues to make a major additional investment for the improvement of North Carolina schools. They knew the questions would be many and the complaints their

colleagues had heard about the CDP, substantial. They needed reassurance that the program was sound. They wanted outside judgments that could be used to answer criticisms. They wanted evidence that the complaints had been addressed. In brief, the need for outside experts was pressing. The information and judgment they could provide was critical. The stakes were high, and sound, outside evaluation studies were needed.

Two other politicians with strong interests in the career development program were Governor James G. Martin and Lieutenant Governor Robert T. Jordan. The lieutenant governor, an aspiring Democratic gubernatorial candidate, sat on the state board of education, and was also interested in the program's welfare and reception among various constituencies. The governor, a Republican, had already announced that the program should go statewide. Over the next year, according to some observers, he would try to claim that his party was responsible for " North Carolina's major contribution to the national reform of education" despite the fact that the legislature that had originated it was heavily Democratic. The development and installation of the teacher evaluation system, i.e., the TPAI, had actually been launched at the beginning of the decade under Governor James Hunt, a Democrat.

Uneven support, if not outright division over the program, existed not only within the state education board, but between it and the legislature. The longtime superintendent of public instruction had already announced his retirement and his

replacement was not yet elected. One of the members of the legislative subcommittee in charge of the pilot program, a businessman, was reputed to be a candidate for the office. His election did indeed occur the following November. Although operational responsibility for the program was vested in the state department of public instruction, the legislative subcommittee had assumed the major role in setting the requirements, drafting the legislation, and manning the floor fights that made it happen. As indicated above, subcommittee members recognized a need to make their own assessment of how well it was working. They spent several days in February, 1988, visiting pilot-program classrooms, watching observers collect data, and learning how the system worked. They also talked directly with teachers and administrators, soliciting their specific reactions toward the program. A state department administrator, one not directly involved in the running of the program, served as liaison person for this committee, making arrangements for the visits, both the legislators' and my own visits. So there were at least two pipelines from Raleigh to the school districts, each aware of the other and in communication as necessary, but each quite distinct. I was informed quite sharply one time when I had requested some information directly from state department personnel that I should have followed protocol by going through the legislative staff person; I was reminded for whom I worked.

Relationships between the state department and school

districts were another part of the political context. With more than 90 percent of teacher salaries coming directly from the state, the department had considerable influence in shaping personnel directives generally; and with all of the funds for operating the CDP coming from the special legislation, operational requirements were developed and monitored from there as well. Districts were not forced to participate, and many did not choose to apply. Those that did and were chosen, however, received additional money for doing so; they also were expected to follow the guidelines and assume extra administrative and reporting obligations. One way local district actions became subject to greater public scrutiny because of their CDP participation was through the publishing of various state reports needed to monitor the program. For example, the distributions of teacher ratings and the results of appeals cases, county-by-county, became public knowledge. The definition of effective teaching, as specified in the TPAI, came from the state; and some local districts may not have been interested in a plan that left so little option for considering other measures and criteria. As elsewhere in the country, the state vs. local control issue was important. There was considerable room for local districts to implement the plan in their own way. Yet, consistency across districts in the way teachers were judged was also most important. If the proportions of teachers reaching the upper rungs of a state career ladder differed drastically, it would be questionable how well the basic purposes of the legislation were

being achieved.

Teachers and their association (the NCAE) were obviously another major constituency. How well the association represented teachers as a whole on this particular program varied from community to community and, to a considerable extent, with the year of the program. The longer it operated and the more teachers participated the more positive they became. Several instances occurred during the third year of the pilot program where teacher association leadership was chastised by its own members for its apparent opposition to the CDP.

One highly influential outside group, the Public School Forum, was formed in the early 1980s, consisting of leading educators, business-executives, and legislators. It tended not to support the CDP and provided alternative reform proposals instead. This was a privately funded group whose executive director had formerly headed the NCAE. Among other items, the Forum proposed a lead teacher project along the lines of the Carnegie Forum proposal. Legislation was introduced by members of the same legislative subcommittee to establish a lead teacher pilot project in several communities.

As a prospective third-party evaluator, I was first told that the evaluation was to cover (a) the lead teacher program, (b) an outside evaluator project that was being started to see whether teacher performance evaluation was better done by trained observers from outside a district than by persons already in the district, (c) and the CDP pilot. I actually visited some lead

teacher and outside evaluator project places to learn what was going on as part of my proposal writing activity. Later on, when firm contracts were being let, my coverage for the evaluation study was limited to the CDP program, and even then excluded Charlotte Mecklenberg as well because of its long history and somewhat unique program. Even though I asked to talk with individuals in the Forum, including the director, I was not encouraged to do so in the conduct of my CDP investigations. On the other hand, I was allowed to specify the kinds of local districts to visit, local and state documents to review, and individuals to interview. The actual arrangements were all made by the legislative committee's contract administrator.

Reports, Presentations and Audiences

The primary audience for both studies, of course, was the legislative subcommittee that had solicited proposals from two of us after interviewing a number of individuals about the kind of evaluation studies that might be done. After receiving the proposals, the subcommittee contacted us further and, in my case anyway, decided which of my proposed activities should be done and specified the charges and final report deadlines. The latter gave us less than two months to do the TPAS review. I had another six weeks for the appeals study.

Schedules were followed as prescribed. The subcommittee met with our TPAS panel at the beginning of our review to reiterate the charge and at the end of our four-day meeting to hear an oral presentation of what our final report would say. We stated our

main conclusions, as described earlier in this paper, and discussed with them the majority of specific suggestions we would be making for improving the instrument. We cited our reasons for the recommended changes, and they asked questions about the details of various items. They also asked if any new legislation would be needed. We said no. They also asked if one or more of us would be ready to present our study to the legislature later in the summer. They seemed satisfied that we would be addressing the main concerns of which they were aware.

The report was mailed a few days later, and on May 26 I had about 45 minutes to present our findings at an open meeting of this committee. Invited guests included other legislators, state department personnel, school administrators, business leaders, teacher association officers, career development participants, and reporters. This was the larger audience that we, as well as the subcommittee, knew had concerns about the evaluation system that had to be addressed. We knew from the various reports we had studied and the interviews I had earlier in both Raleigh and other localities that our report must focus on a variety of technical issues and user inconsistencies and make solid, reasonable recommendations for improvement, if this larger, diverse audience was to be satisfied. My job was to hit the highlights of our many suggestions and underlying reasons and to persuade people that we not only understood the system but some of the recommendations might be worth doing.

A two-page handout (collapsed in Figure 1) was used to help the audience see the full coverage of our report, follow the presentation, and make notes on what was being recommended. My comments ranged from one or more brief statements taken from our executive summary of the report to several minutes of discussion of particular items. An opening statement cited our overriding conclusion:[16]

> It is a quality instrument, one that is highly suited to its purposes. The recommendations we list represent suggestions for improving it still further, especially to enhance its effectiveness as a basic tool for making career ladder decisions and for improving teaching. In no way do these recommendations imply fundamental deficiencies that would call for its elimination as the state teacher appraisal instrument. We consider our recommendations suggestions for fine-tuning an already good system of performance appraisal.

This statement was followed by a 10-15 minute presentation, using an overlay (see Figure 2), of our recommendations for rearranging some functions and teaching practices to a total of twelve, ten of which would relate directly to teaching and be directly observable in the classroom. These recommendations would expand somewhat the criteria on which direct observational data could be gathered, increase the weighting of instructional practices, and sample somewhat more comprehensively dimensions which the literature on effective teaching clearly supported.

Among other recommendations we strongly recommended the continuing use of the six-step rating scale as a means of spreading the distribution and minimizing ceiling effects. Various constituencies, including some administrators, had

CRITERIA

FODI

FODI AND POST-OBSERVATION CONFERENCE

FODA

TRAINING

SCALE STEPS

RATING PROCEDURE

PDP

PORTFOLIO

INTERVIEW

CERTIFICATION OF EVALUATORS

CAREER LADDER DECISIONS

SUMMATIVE RATINGS BY CONSENSUS

CONSECUTIVE OBSERVATIONS

JOINT OBSERVATIONS/ANALYSES

RELIABILITY STUDIES

VALIDITY STUDIES

UNIVERSITY RESEARCH ASSISTANCE

WORD PROCESSORS

INCREASE OF OEs

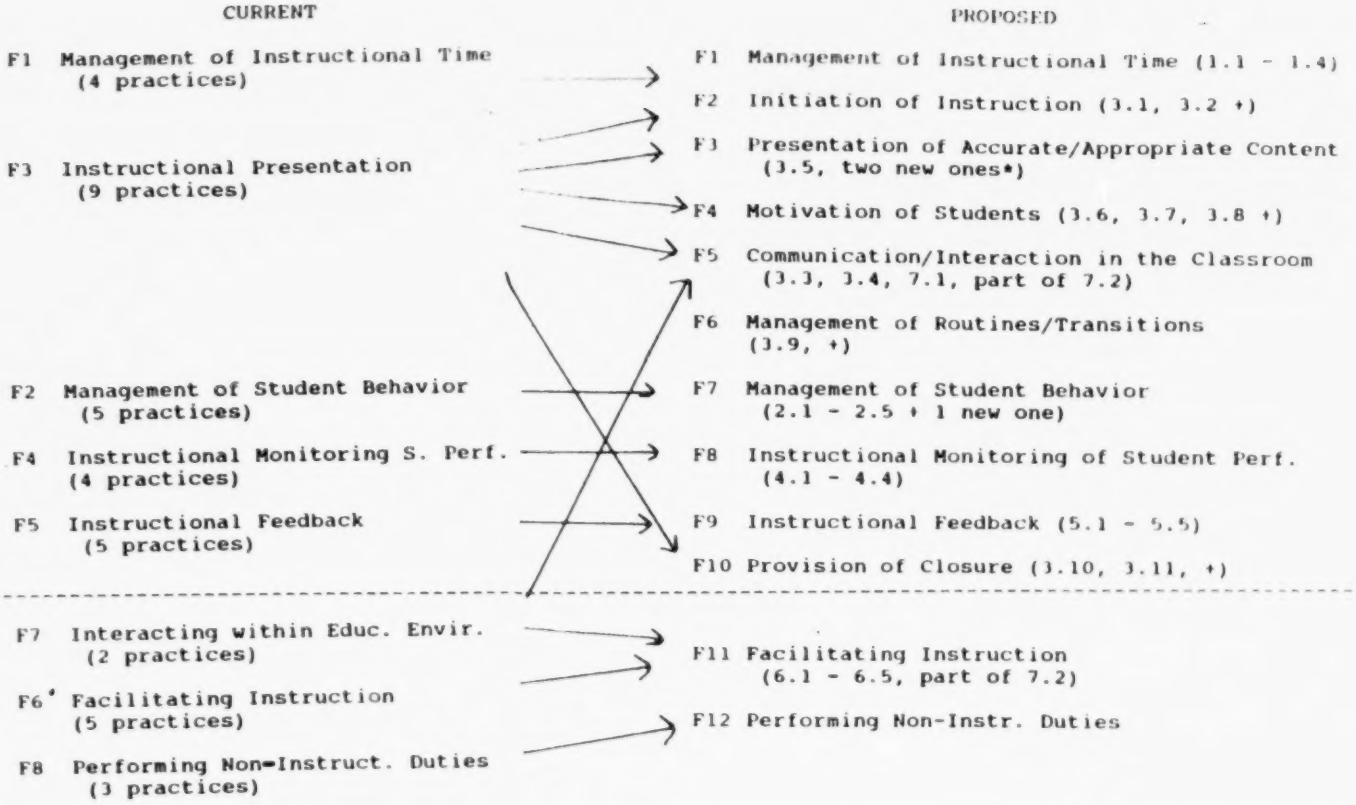
GROWTH BEYOND COMPETENCY

PPAI/OTHER SPECIALITIES

PRINCIPALS AS EVALUATORS

EXTRA RESOURCES FOR TPAI REVISION

Figure 1. Outline of Panel Findings and Recommendations for the North Carolina Performance Appraisal Instrument 5/26/88


CURRENT
PROPOSED
F1 Management of Instructional Time (4 practices)
F3 Instructional Presentation (9 practices)
F2 Management of Student Behavior (5 practices)
F4 Instructional Monitoring S. Perf. (4 practices)
F5 Instructional Feedback (5 practices)
F7 Interacting within Educ. Envir. (2 practices)
F6' Facilitating Instruction (5 practices)
F8 Performing Non-Instruct. Duties (3 practices)
F1 Management of Instructional Time (1.1 - 1.4)
F2 Initiation of Instruction (3.1, 3.2 +)
F3 Presentation of Accurate/Appropriate Content (3.5, two new ones*)
F4 Motivation of Students (3.6, 3.7, 3.8 +)
F5 Communication/Interaction in the Classroom (3.3, 3.4, 7.1, part of 7.2)
F6 Management of Routines/Transitions (3.9, +)
F7 Management of Student Behavior (2.1 - 2.5 + 1 new one)
F8 Instructional Monitoring of Student Perf. (4.1 - 4.4)
F9 Instructional Feedback (5.1 - 5.5)
F10 Provision of Closure (3.10, 3.11, +)
F11 Facilitating Instruction (6.1 - 6.5, part of 7.2)
F12 Performing Non-Instr. Duties

*Two new F3 practices: Teacher presents content without error or misinformation
Teacher presents information which is developmentally appropriate for the class

Figure 2. RELATIONSHIP OF PROPOSED TPAI AND CURRENT TPAI
Review Panel May 1988

suggested fewer steps (even as few as three: unsatisfactory, satisfactory, more than satisfactory) in order to ease the rating process. We also recommended searching the literature on cooperative learning, coaching, modeling, mastery learning, and student motivation for other possible teaching practices which empirical studies indicated promoted student achievement. Considerable criticism had been expressed that the TPAI overemphasized the direct instruction style of teaching to the neglect of other effective styles.

Another recommendation, which was related to a widely expressed concern, was that the TPAI was an appropriate instrument for determining career ladder placement through level II, but not beyond. Even with more training for evaluators, increased consistency in observation procedures and the interpretation of scale descriptors, and greater dependence on consensus judgment for final ratings, we said:[17]

> If career ladder III criteria, when developed, should require a distinction be made on the quality of teaching between level II and level III teachers, we do not believe this instrument, even with refinements, would be adequate. Other sources of data would be needed. If level III differs from level II primarily because of other criteria, then other instrumentation will be needed also.

In explaining our rationale for this judgment, we indicated:[18]

> Teachers grow in at least three different ways. They grow toward competence, they amplify on their strengths (areas of competence), and they grow beyond competence, developing unique talents and perspectives. The TPAI, PPAI, and PDP are suited to the first two types of professional development, but probably not the third.

Why, for example, is the TPAI unlikely to promote growth beyond competence? The TPAI currently is based on a set of essential functions that must be mastered by all competent teachers. These functions acknowledge the similarities that cut across teachers of all subjects and age-groups. Growth beyond competence, however, must take account of each teacher's unique circumstances, including his/her prior experiences, strengths, subject matter area, and students. The TPAI is not well-equipped to handle these areas of individual difference.

In the context of the Career Development Program, the TPAI, PPAI and PDP seem to be most appropriate for decisions regarding career levels I and II. To the extent that career level III involves growth beyond competence, it is unlikely to be well-served by these instruments.

While it was not our charge to comment on career level III, we feel that four alternative strategies could be employed.

First, the same set of teaching functions that constitute the TPAI (or PPAI) could be used, but the level of expected performance for each function could be raised substantially above career level II expectations. It is our judgment, however, that it would be difficult to operationalize and observe substantially greater performance in many of the existing functions. There are practical limits, for instance, to on-task behavior and effective classroom management.

A second strategy would be to develop a set of master teacher functions for career level III that totally differ from those used in the TPAI. These functions might look a lot like the leadership functions that now constitute the PPAI.

A third strategy would permit each aspiring career level III teacher to negotiate unique professional development goals, based on such factors as their assignment, experience, students, and local setting. Accomplishment of these goals, based on external review and assessment, would result in movement from career level II to career level III. The Professional Development Plan, if it could be de-coupled from the current or proposed set of basic teaching functions, might be well-suited to this third strategy.

A fourth strategy would involve some combination of the preceding strategies.

> A critical question that must be addressed before a plan for career level III can be developed is "To what extent must all candidates for career level III complete identical or comparable activities?" Our feeling is that the more veteran teachers are required to conform to similar standards, the less likely they will be to engage in meaningful professional development beyond competence.

The above passages from our report dealing with the TPAI and career level III, for which the criteria had not yet been developed, illustrate how we tried, in making specific recommendations, to address the various instrumentation issues we had heard debated by one group of users or participants and another, and to state our own studied opinion of how they might best be resolved. We were speaking not just to the legislators but to the many program participants and even non-participants who recognized problems with the system and would be studying the report for ways to improve it. We were trying to reassure those who already recognized the merits of the TPAI that outside experts also thought it was basically a good tool, while at the same time it could also be improved; however, there were limits to what should be expected of it. We also recognized that a considerable audience really wanted it scrapped, along with the CDP as well. We tried to keep the tone of our report, as well as our overarching position statement, positive and constructive so that no one could interpret it as suggesting the TPAI be replaced. In our opening statements, furthermore, we commended the legislature and subcommittee in particular for recognizing the need for a strong teacher evaluation system and providing the leadership and support to see it established. We also commended

them for the incremental approach they had taken in pilot-testing the TPAS and CDP in order to permit adequate development and field testing before going statewide with them.

The 29-page report on the appeals process was mailed to the subcommittee by the July 5 deadline. As it too would become a public document to be studied by other groups, a variety of issues needed to be described and judgments included about how they might be resolved. The report, therefore, contained sections covering the history of the appeals process including legislative and state board procedural guidelines and the number and results of cases so far; grounds for appeals; panel hearing processes; training of panelists; board hearings; and conclusions and recommendations. The latter were organized around the four questions in the original charge stated earlier.

A month later I met privately with the subcommittee, this time not in an open meeting, to present findings, answer questions, and discuss the report and my main recommendations about the appeals process. Again, as with the earlier panel report, I was told that I should not assume committee members had read the report; so a careful selection of what I would say in the time allotted was essential. Opportunities to communicate with legislators, board members, and other policymakers are typically limited. Complex reports that will be dissected by others for technical details must be collapsed in length and substance without destroying their validity.

I was also asked to present the highlights of both reports to the state board of education in early September. Thus, by the beginning of the fourth year of the pilot program many legislators, policymakers, administrators, state and local program directors, teacher association leaders, and program participants had heard about or seen these evaluation studies and the major recommendations.

Selected Uses of the Studies

As an out-of-state evaluator rather than a program participant, my position to track how these studies were actually used was obviously quite restricted. I must leave it to those closer to the scene and knowledgeable representatives of several constituencies to provide a full description of whatever really occurred. What follows, therefore, are only some uses and reactions of which I am aware; undoubtedly there were others.

The Legislative Subcommittee

The four legislators who decided that third-party evaluation of the CDP was needed, shaped the charge, and selected the evaluators made immediate use of the information in two ways. First, they apparently decided that no immediate legislation would be needed to improve the instrumentation or appeals process for the fourth and final year of the pilot study. At least they did not attempt to introduce any new legislation for that purpose. They may have thought that the outside evaluation reports were sufficiently supportive of the instrumentation and

processes that the suggested refinements, if necessary, would occur without major changes in legal guidelines.

Second, they began laying the groundwork and preparing their colleagues for the decisions that would be coming up during the next legislative session. Specifically, they asked me to present the panel review findings described earlier to their colleagues and other invited guests. They approved a later presentation of these studies to the state board of education as well. At the request of DPI administrators, they also agreed to support a limited amount of technical assistance to help implement some of the TPAI recommendations. Agreement about the specific amount and kind of assistance was not reached during the months that followed, so this financial support did materialize.

The subcommittee also requested a presentation before a larger group of legislators in early 1989. Later, however, after tentative dates for this presentation had been set back two times, plans for such a meeting were canceled. What had apparently happened was a change in leadership in the legislature, due to an election loss of the speaker of the house, that altered the power structure of that body and the status of this committee. It was no longer expected to provide the leadership on the CDP or other educational reform legislation. It was soon dissolved.

Department of Public Instruction

DPI administrators in charge of the program organized a special task force of local pilot district administrators and CDP

coordinators to study our TPAI report and recommend to the larger network of local and state educators that met monthly to coordinate the CDP (i.e., the State Steering Committee) whether to agree, disagree, or modify each of our recommendations. Our report became the major agendum for at least two network meetings. After much discussion and debate, the group voted its agreement with 7 recommendations, disagreement with 2, modified recommendations for 7, and further study of 5. Comparing what was said about items in the last two categories indicates only minor differences with our panel's position on any of them.

DPI actions to improve the program that followed our panel's recommendations or their modifications of them included:

- Experimentation during the 1988-89 year with collecting additional kinds of observational data and collection of observational data on the same teachers for two or more days in a row.
- Conducting validity studies by comparing CAT scores in pilot-districts with those in matched non-pilot districts.
- Funding a literature search of empirical studies in five areas for additional teaching practices that might be incorporated in the TPAI.

In addition, at least two local districts held workshops to examine alternative models of teaching in order to identify other likely teaching practices and functions for the TPAI.

Teachers' Association

In April, 1987, the North Carolina Association of Educators (NCAE) Board of Directors adopted position statements on principles of evaluation, the TPAS, and the lead teacher concept.

The Association approved experimentation with the latter along with sufficient funding for doing so. Among the sixteen evaluation principles enunciated, was the notion that experienced teachers should be evaluated on a continuous basis "solely for the purpose of improving instruction."[19] Different procedures and instruments should be used for (a) assessing teacher competence and (b) evaluating competent, experienced teachers for teaching improvement.[20]

Regarding the TPAI specifically, the Association recommended its use, with certain modifications, for the summative evaluation of initially certified teachers during their first two years of employment as a basis for granting continuing certification. It should also be used on a cyclical basis for the summative evaluation of experienced teachers. However, a new evaluation system should be developed for the improvement of experienced teachers that would engage them in assessing "their own development, goals, and performance. . . . NCAE does not believe that the purpose of evaluation is to distinguish between professionals engaged in competent practice."[21] In brief, the Association opposed the use of the TPAI for selecting among experienced teachers those who would be advanced on a career ladder.

In an earlier position statement, NCAE said the TPAI was "flawed." Criteria were generated primarily from research conducted on the basic skills of elementary and middle school children. They "allow for little variation in classroom setting,

academic content, or student diversity." Teachers are being rated on "minutia rather than substance." Problems with the six-point rating scale include placement of the "at standard" category below the midpoint of the scale. Functions 6, 7, and 8 are not directly observable nor supported by the research on effective teaching.[22]

NCAE also complained about the lack of a statewide appeals process. The state board of education adopted regulations for that process four months later, which may have been induced in part by this complaint.

Soon after our TPAS panel report and presentation of our recommendations, the NCAE put out a page-and-a-half news release on June 10, 1988, about our TPAI/PPAI review. The Association's president was quoted as follows:

> I am very encouraged that outside consultants are recommending the same improvements that NCAE leaders have been proposing . . . . I strongly urge the improvements which NCAE and the consultants agree on be made as soon as possible. The Career Development Plan is about to enter its final year of experimentation. These improvements need to be field tested during this year so we can determine if the Career Development Plan will work or not [my italics].

Note the inferences: (1) outside evaluators view the evaluation system much as we do. They recommend the same improvements we do. (2) The CDP is not working now.

Not mentioned in the NCAE release was our panel's overriding conclusion that the TPAI "is a quality instrument . . . highly suited to its purposes" and our recommendations are "for fine-tuning an already good system of performance appraisal"; they do

not "imply fundamental deficiencies." (see p. 17, earlier in this paper)

The NCAE release claimed that our panel made six recommendations they also supported. What followed were six single-sentence statements that did highlight some of the improvement ideas. However, the majority of our 24 recommendations were ignored along with many complimentary comments we had made about the system's strengths, such as:[23]

> For the most part there is a good match between the literature on effective teaching and the practices in the TPAI. Also, these practices tend to be described clearly. (p.12)
>
> The various DPI reports, newsletters and memoranda, and coordinator and steering committee meetings are serving important coordinating and continuing development functions as the system evolves. The DPI staff, along with district administrators, coordinators, and evaluators are to be commended for the several high level efforts being made to continue to study, develop, and refine procedures. (p.35)
>
> We heard many teacher reports which indicated that the use of the TPAI had sharpened skills and improved teaching. (p.41)

Nowhere in the NCAE news release was there a hint of approval of what had been developed so far; only what was wrong with it and how it could be improved. I am not trying to be critical of the NCAE because they have a right to their own opinion. I am only trying to illustrate how an organization's (or individual's) own agenda will affect what use is made of an evaluation study in furthering its own objectives. The real Association attitude toward the CDP and the TPAI might have been revealed in a January, 1988, letter from NEA headquarters to the

NCAE president, which accompanied a draft of a questionnaire being developed to survey teacher reactions to the CDP:

> A good rule of thumb for reviewing these questions is "Will I get any information that will allow NCAE to get some evidence to modify or kill the evaluation system?"

The Public School Forum

The Public School Forum of North Carolina is an independent organization of business leaders, educators, and legislators that was established during the middle 1980s to provide outside leadership and assistance for the improvement of public education. By 1988, membership included three of the four legislative subcommittee members, the state superintendent of public instruction, the president emeritus of the University of North Carolina, the former superintendent of the Charlotte Mecklenburg public schools, the NCAE president, the NC school boards association president, several top-level business executives, among other prestigious and influential persons. The president and chief staff person was formerly the executive director of the NCAE. Funding for the organization came from a variety of corporations and foundations. Forum internships were funded by the legislature.

Activities include studying school problems and potential solutions. In 1987, the Forum helped promote the legislation that established a pilot experiment of the lead teacher concept. In December, 1988, a proposal was published by this organization calling for new emphases in the educational reform effort.[24] Schools were to be restructured so that schools and districts

would have greater flexibility in directing their own activities. In turn, they would be held more accountable for student success. The proposed recommendations included greater use of end-of-course testing and teacher-made tests and less dependence on norm-reference testing. Other recommendations called for (a) annual report cards of school- and district-level test results and other quality indicators and (b) a requirement that school district participation in the CDP would be contingent upon its successful attainment of accountability goals. The evaluation system should be modified so that teachers' contributions to their schools' or districts' student performance goals would be the focus for career level II teachers. Technical competence as assessed by the TPAI, with the addition of a content knowledge criterion, would serve as the primary focus for level I. For level III applicants, measurement should be conducted "against a locally agreed-to standard of acceptable performance, not against an evaluation instrument."[25]

The rationale for these career level criteria recommendations cited our panel report as well as feedback from practitioners. It is correct that we had indicated that content knowledge might be included in the TPAI functions. Regarding teachers' growth beyond competence, however, we had said it should be a major theme for level III applicants. What they had rejected from our report, without saying so, was the continued use of the TPAI to distinguish between good and superior teaching. Our report clearly stated that, with proper training

of evaluators, it was adequate for the selection of CSII teachers, but not beyond. They also recommended some collapsing of the rating scale from six to five steps. This change, of course, would also lessen the discriminating capability of the instrument.

Other Constituencies

Various other organizations adopted positions regarding both the CDP and the evaluation system. In April, 1987, three state associations representing school administrators, principals, and school boards, joined the NCAE in recommending specific changes in the evaluation system. Only three rating scale steps were proposed: above standard, at standard, and below standard.

A year later (April 1988) Governor Martin organized a special forum to review the strengths and the problems of the CDP. A teacher representative from each pilot district met with three members of the state board of education and the governor's education staff for two days. A summary of the views of this group expressed strong support for the program.[26] It said the program was having a very positive impact on classroom instruction and the professional growth of teachers. It praised both the Effective Teacher Training and Performance Appraisal Training Programs, major components of the evaluation system. Among ten recommendations for strengthening the program were three pertaining to the evaluation system (insure that observer evaluators have teaching experience at the levels in which they observe, insure statewide consistency in scoring the TPAI and in

the required number of minimum observations, and implement checks and balances to assure statewide reliability in the process) and one relating to the appeals process (develop an additional step beyond the local board of education). Although our reports were not cited, these recommendations are not inconsistent with them.

From all the above discussion it should be very apparent that the CDP and its evaluation system were subjects of considerable political controversy. Each constituency had its agenda. Much was at stake. The need for outside evaluation was clear. The specific questions to be addressed derived from the kinds of problems that had been encountered and the conflicting recommendations of various groups. Our studies provided additional ammunition that each of them tried to use to prove its case.

The Evolution of TPAS-Related Activities

To understand how third-party evaluation studies actually affect program changes, one must recognize the network of political, economic, and social forces that both shape and are affected by the programs. Each affected party has a vested interest. Each has an agenda for program development and operation. Each also has status and political clout within the network, at any particular time, to influence program decisions. It is the resolution of these forces at specific moments of decision that direct program development and determine its long-term evolution. A third-party evaluation contributes to that

development and evolution only as it is used in selective ways to nurture stakeholders' particular interests.

One must recognize also what is often a shifting power structure to understand how program decisions are first reached and then changed. The importance and use of an evaluation report can shift as fast as the status of stakeholders in the power struggle.

Thus, with our studies, those who initiated and funded the evaluation effort lost their collective power before their intended use of the studies had been accomplished. With new leadership in the legislature, presentations we were supposed to make could not be scheduled. Funds to provide technical assistance for implementing our recommendations were not forthcoming.

Figure 3 presents a chronology of activities of various groups related to the evolution of the CDP and the TPAI in particular. It shows the dates of many of the events and activities mentioned earlier in this paper. What it does not show clearly is the shifting power structures from one era to another. Up to the November, 1988, elections, the education subcommittee had been the primary force providing leadership and assuming oversight responsibility on behalf of a well organized, heavily democratic legislature. The speaker of the house had served in that position for four terms. A Republican governor also endorsed the program strongly, and even a year or two earlier had wanted to mandate the program statewide. But the

June-Aug	1990	Introduction and passage of Senate Bill No. 2
Spring	1989	Teacher rallies over salary inequities
Jan/Feb	1989	Political restructuring in general assembly, subcommittee dissolved
December	1988	Public School Forum publication of study group reform proposal
Nov/Dec	1988	Literature search in five areas for DPI
November	1988	Election of subcommittee member to state superintendency. Defeat by Republican of 4-term speaker of the house
September	1988	Presentation of TPAI panel and appeals process to state board
August	1988	Appeals process presentation to subcommittee
July	1988	Appeals process evaluated
June	1988	NCAE news release about panel report
June	1988	TPAI panel report presentation at open meeting of subcommittee
May	1988	Panel review of TPAI
May	1987	DPI analysis/response to joint recommendations of four associations
April	1987	NCAE position supporting lead teacher concept
April	1987	Joint recommendations from four state associations (teachers, principals, administrators, school boards)
March	1988	Subcommittee contract for evaluation studies
February	1987	DPI response to NCAE position statements
January	1987	NCAE Board position statements on CDP
	1987	Adoption of TPAI for certification and quality assurance
	1986-87	Initial use of TPAI for CSII selection in pilot districts
	1985-86	Initial use of TPAI for CSI selection in pilot districts
	1985-86	CDP beginnings in 15 pilot districts (plus CM)
	1985	Legislation establishing CDP
	1983	Identification of research-based teaching practices for an observation instrument by UNC research team
	1979	Legislation establishing statewide teacher evaluation system

Figure 3. Chronology of Selected TPAI-Related Activities

subcommittee had held out for completion of the four-year pilot study before considering that possibility. Such a decision would be very costly, and many complaints about the program would have to be addressed before a politically wise decision could be made.

The NCAE claimed that it had voiced support for the idea of such experimentation from the beginning. In fact, it had done little to help it thrive, and covertly, much to make it die. As various polls indicated, the teacher voice as a whole was divided. Those in the pilot districts who achieved career level II were most positive. Those with little involvement were much less so; many were quite negative. Even though the program operated in only 16 districts, most of the teachers in the state had been rewarded in the amount of $250 for attending an effective teaching workshop to learn about the TPAI functions and practices. Reactions, overall, tended to be quite positive toward this experience.

The April, 1987, recommendations for TPAI changes of three other key organizations (school administrators, principals and school boards), along with the NCAE, reflected an interesting coalition of forces whose positions on educational issues are seldom so congruent. In each case, however, the introduction of the TPAI as a measure that would affect status and pay also meant changes in responsibility and control. For CDP purposes, principals and vice principals had to spend much more time observing teaching and documenting their judgments. If their judgments were appealed, they might have to justify their ratings

before the school board itself. For those few who had this experience, it was typically not a happy one. For both school boards and school administrators, the CDP and its evaluation system meant more state directives and bureaucratic responses. Although superintendents of the 16 pilot districts enunciated strong support for the system and what it had accomplished, many non-pilot district superintendents would have preferred the extra money to promote programs of their own design.

Responsibility for developing operational guidelines for the CDP, monitoring the efforts of pilot districts, and providing them with technical assistance was vested in the state board of education and its staff (i.e., the DPI). A steering committee of pilot-district administrators and program coordinators met monthly with DPI staff to coordinate efforts, share experiences, and develop necessary procedures to operate their programs. DPI staff bore the brunt of complaints from outside groups, however, as they were most directly in charge of the state experiment. For each of the position papers or survey reports published by the NCAE or other groups, they responded with a paper pointing out inaccuracies and distortions and justifying the manner in which the program was being run.[27] With the announcement by the superintendent of public instruction of his forthcoming retirement, those in charge of the program became even more vulnerable to criticism. No one could be sure what stand a new superintendent might take on it.

It was during this time, in early 1988, that the legislative subcommittee members began looking even more closely at how the program was operating and collecting their own information. Thus, they would not have to depend solely on what the DPI might provide when critical decisions would be made. They initiated the outside evaluation studies reported in this symposium. They went on the road themselves, visiting classrooms to see how the TPAI worked and talking with teachers about their reactions to it. They were also active members of the Public School Forum which was developing a different reform program. They initiated legislation to start experimentation with the lead teacher concept.

With the power shift in the legislature following the November, 1988, elections, we will never know what the subcommittee would have recommended for the CDP or what the 1989 legislature would have done if this group (minus one member who had become the state superintendent) had kept its leadership position.

A political struggle was also taking place in early 1989 between the governor and teachers over another major salary dispute, unfreezing pay scales that had been frozen since 1982. How to correct inequities in the regular pay scales and at the same time finance major expansion of the CDP without raising taxes became a severe political problem. Governor Martin, a Republican, actually proposed a one-cent sales tax increase

(Education Week, 2/1/89) to correct the problem and take the CDP statewide.

In August, 1989, the legislature finally acted. The legislature proposed raises in teachers' salaries to average 6 percent in each of the next three years. They did not fund an expansion of the CDP or the full cost of other ongoing education improvements. What was funded was a Public School Forum proposal to give districts money to operate their own incentive programs beginning in 1991. Teacher incentives would be based on school and district performance. A majority of the teachers would have to approve a plan before it could become operational. The CDP pilot districts were funded for another year. Continued funding after 1991 or expansion to other districts, however, would depend on further legislation and the majority approval of employees affected.[28]

The shifting directions of educational pay reform in North Carolina during this past year are not inconsistent with what is happening elsewhere. The Education Summit in Charlottesville last September also highlighted flexibility and accountability in the running of schools. School-based performance programs are on the rise in many state reform efforts. Programs designed to reward teachers according to how well they teach are on the decline.[29]

Of all the controversy surrounding the CDP in North Carolina, the use of the TPAI for distinguishing between CSI and CSII has been and continues to be the point of greatest

contention. The public mandate behind the establishment of the CDP was for recognizing and rewarding those who were the best teachers. Implementing such an idea requires a measurement process that distinguishes among them on the quality of their teaching, not on the quantity of time they work or what they do. Many of those who object to the use of the TPAI for career status determination, really reject the idea that the quality of performance should be the basis for promotion. Others feel that the difference between good and superior teaching cannot be measured in fair, valid ways; therefore, the TPAI and probably any other current instrument is inappropriate for such purposes.

The 1989 legislature opened the door for potential replacements of the CDP. It will be interesting to watch what happens to performance assessment in the development of these new plans. What will be judged? How will it be done? Will how well one teaches still count? If so, how much? If it remains as the major feature of the CDP or its replacement, who will take the heat for its continued existence?

The actions taken by the 1989 general assembly reflect a political resolution, as they always do, of the many constituent pressures and previously unresolved issues related to educational reform. I wonder how many who voted were even aware of the real issue or what their vote meant with respect to it. If the CDP should die in the next year or two, gone too will be one of the country's best attempts to develop a sound measurement system for identifying superior teachers.

NOTES

1. Richard M. Brandt, Daniel L. Duke, Russell L. French, and Edward F. Iwanicki. A Review with Recommendations of the North Carolina Teacher Performance Appraisal Instrument. (Submitted to the Education Subcommittee of the Joint Legislative Commission on Government Operations, North Carolina General Assembly, Raleigh, NC, May 21, 1988.) Hereafter referred to as our panel review or report.

2. Richard M. Brandt. An Evaluation of the Career Development Pilot Program Appeals Process. (Submitted to the Education Subcommittee of the Joint Legislative Commission on Government Operations, North Carolina General Assembly, Raleigh, NC, July 5, 1988.) Hereafter referred to as the appeals review or report.

3. In a contract signed on March 30, 1988, between Richard M. Brandt and the Joint Legislative Commission on Government Operations.

4. Group for the study of Effective Teaching (principal investigators: Kinnard P. White, Gary B. Stuck, Marvin D. Wyne, and Richard H. Coop), Teaching Effectiveness Evaluation (TEE) Project. (Chapel Hill, NC, School of Education, University of North Carolina, June, 1983)

5. Panel report, p. 4.

6. See note 3.

7. Memorandum and attachments from David Holdzkom to Robert D. Boyd regarding Career Development appeals procedure, North Carolina Department of Public Instruction, Raleigh, NC, January 11, 1988. Information regarding appeals cases in Charlotte Mecklenburg was not available and not included.

8. Appeals report, p. i.

9. Appeals report, p. i-ii.

10. Appeals report, p. ii.

11. Ibid.

12. Appeals report, p. iii.

13. Ibid.

14. Ibid.

15. The budget for the pilot program, which was operational in only 16 of the 140 districts in the state, was $46.5 million in 1988-89, as reported in "Funding Performance Pay Plans, April 1989 Update," Career Ladder Clearinghouse. Atlanta: Southern Regional Education Board.

16. Panel report, p. i.

17. Panel report, p. 36-37.

18. Panel report, p. 42-44.

19. NCAE Principles of Evaluation adopted by the NCAE Board of Directors, April 8, 1987.

20. NCAE Position: North Carolina Performance Appraisal System, adopted by the NCAE Board of Directors, April 8, 1987.

21. Ibid.

22. NCAE Position Statement, North Carolina Career Development Plan, adopted by the NCAE Board of Directors, January, 1987.

23. Panel report. In a more comprehensive position statement published later in 1988, Education for the 21st Century, the NCAE cited from our 50-page report only the following four statements:

> professional development is not a simple phenonemon. . . . Growth beyond competence must take into account of each teacher's unique circumstances, including his/her prior experiences, strengths, subject-matter area, and students. The TPAI is not well-equipped to handle these areas of individual difference. . . . Our feeling is that the more veteran teachers are required to conform to similar standards, the less likely they will be to engage in meaningful professional development beyond competence.

No mention was made that our panel was referring to possible CSIII use of the TPAI if it ever materialized.

24. The Forum Study Group, Thinking for a Living: A Blueprint for Educational Growth, a New North Carolina Compact for Better Schools. Raleigh, NC: Public School Forum of N.C., December, 1988.

25. Ibid., p. 25.

26. Career Ladder: A Teacher's Perspective: A Report on the Career Development Program. (Submitted to the State Board of Education by Governor James G. Martin, May 9, 1988.)

27. SDPI Response to NCAE Board of Directors Position Statement, Raleigh, NC: DPI Staff, February, 1987.

Analysis of Strengthening Career Development Program, Raleigh, NC: DPI Staff, May, 1987.

28. Senate Bill #2.

29. Richard M. Brandt. Incentive Pay and Career Ladders for Today's Teachers: A Study of Current Programs and Practices. Albany, NY: SUNY Press, in press.